

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CYNTHIA HERRICK, *individually and on behalf of all* :
others similarly situated, :

Plaintiff, :

23 Civ. 3191 (JPC)

-v- :

ORDER

SHUTTERSTOCK, INC., :

Defendant. :

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JOHN P. CRONAN, United States District Judge:

On March 29, 2024, the Court granted Defendant's motion to dismiss Count Three of the Complaint without prejudice and granted Plaintiff leave to file an amended complaint within thirty days of the Court's decision. Dkt. 33 ("Opinion") at 22. The Opinion noted that the Court would dismiss Count Three with prejudice if Plaintiff chose not to amend her Complaint. *Id.* On May 11, 2024, Plaintiff informed the Court that she would not file an amended complaint. Dkt. 36. Accordingly, the Court dismisses Count Three with prejudice.

SO ORDERED.

Dated: June 5, 2024
New York, New York



JOHN P. CRONAN
United States District Judge